

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/26/2025
--

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDDY PHILIPPEAUX,

Plaintiff,

-against-

BOARD OF CORRECTION OF NAVAL
RECORDS, *Navel Secretary Carlos Del Toro*;
DEPARTMENT OF DEFENSE, *Secretary Lloyd
Austin*, UNITED STATES OF AMERICA, and
DEPARTMNET OF VETERANS AFFAIRS,

Defendants.

24-cv-8732 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

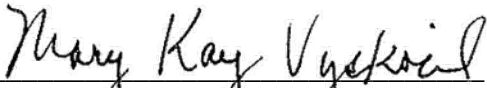
On November 9, 2024, Plaintiff, proceeding *pro se*, commenced this action, [ECF No. 1], against the Board of Correction of Naval Records, Department of Defense, and the United States of America seeking an injunction declaring that his military record should be corrected to reflect a disability retirement qualifying him for the associated benefits and retroactive pension payments. [ECF No. 1 at 5]. Subsequently, Plaintiff has filed three separate and varying “Supplemental Complaint(s),” [ECF Nos. 10, 18, 24], which assert different claims against various Defendants. There must be one operative complaint in this action. *See* Fed. R. Civ. P. 8.

Accordingly, IT IS HEREBY ORDERED that on or before May 28, 2025 Plaintiff shall file one single complete Amended Complaint asserting all of his purported claims against all of the relevant Defendants. Because Plaintiff’s amended complaint will completely replace, not supplement, the original complaint, any facts or claims that Plaintiff wishes to maintain must be included in the Amended Complaint. Plaintiff also must include all of the Defendants in this Amended Complaint (including all of the defendants he named in his original complaint and his three supplemental complaints). Once Plaintiff has filed his Amended Complaint and all of the

Defendants named in the Amended Complaint have been served the Court will schedule a conference.

SO ORDERED.

Date: March 26, 2025
New York, NY



MARY KAY VYSKOCIL
United States District Judge